

AUG 17 2005

DOUGHERTY, CLEMENTS, HOFER, BERNARD & WALKER

FAX Transmission

Tel: 704/366-6642
Fax: 704/366-9744

Date: August 17, 2005
To: Commissioner for Patents
FAX No.: (571) 273-8300
From: Chris Bernard
No. of Pages: 19 (including cover page)
Re: **Utility Patent Applications:**
New Revocation and Power of Attorneys and Statement Under 37 CFR 3.73(b)
Application Serial Nos.: 10/020,014; 09/626,184(6,816,461); 10/062,139;
10/062,261; 10/865,958; 10/017,919; 10/003,189; 10/003,193
Our File: **URGENT - Status Inquiry:**
Application Nos.: 10/003,189; 10/003,193;
10/017,919; 10/020,014; 10/062,261; 10/865,958

CONFIDENTIAL AND PRIVILEGED

The information contained in this facsimile is privileged and confidential information intended for the sole use of the addressee. If the reader of this facsimile is not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received the facsimile in error, please immediately notify the sender listed above, and return the original message to the sender at the address listed below.

Dear Sir or Madam,

Attached are newly prepared **Revocation and Power of Attorneys, Statements Under 37 CFR 3.73(b)** and an **Urgent Status Inquiry on various applications** (see above reference numbers) on which we need your assistance. These cases have been turned over to this me by **CIENA Corporation**, as evidenced by the attached Revocations and Power of Attorneys attached hereto. Please contact me if you have any question.

Respectfully requested,

Christopher Bernard
Christopher L. Bernard
Registration No. 48,234

CLB/bcb

Encl: Declaration and Power of Attorneys; Statement Under 37 CFR 3.73(b); Urgent Status Inquiry

DOUGHERTY, CLEMENTS, HOFER, BERNARD & WALKER
The Roxborough Building, Suite 300
1901 Roxborough Road, Charlotte, North Carolina 28211 USA
E-Mail: cbernard@worldpatents.com

5 of 19

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

| | | |
|------------------|---|--------------------|
| Applicants |) | Various |
| Application Nos. |) | Various |
| Filing Dates |) | Various |
| Titles |) | Various |
| Examiners |) | Various |
| Art Units |) | 2638, 2661, Others |

RECEIVED
CENTRAL FAX CENTER
AUG 17 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450 USA

STATUS INQUIRY (URGENT)

Dear Sir/Madam:

Applicants respectfully inquire as to the status of the following applications, some of which have been pending since 2001, in conjunction with new Powers of Attorney submitted on this date:


10/003,189 (Dowdy et al.)
10/003,193 (Dowdy et al.)
10/017,919 (Gullicksen et al.)
10/020,014 (Gullicksen et al.)
10/062,261 (Balakrishnan et al.)
10/865,958 (Scrandis et al.)

PATENT

Thank you for your kind attention to this matter.

Respectfully submitted,

Date: August 17, 2005

A handwritten signature in black ink, appearing to read 'C L Bernard', is written over a horizontal line.

Christopher L. Bernard
Registration No.: 48,234
Attorney for Applicants

DOUGHERTY, CLEMENTS, HOFER, BERNARD & WALKER
1901 Roxborough Road, Suite 300
Charlotte, North Carolina 28211 USA
Telephone: 704.366.6642
Facsimile: 704.366.9744
cbernard@worldpatents.com

**RECEIVED
CENTRAL FAX CENTER**

AUG 17 2005

Doc Code:

PTO/SB/82 (04-05)

Approved for use through 11/30/2005. OMB 0851-0035

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|--|------------------------|-------------------|
| REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS | Application Number | 10/003,193 |
| | Filing Date | October 29, 2001 |
| | First Named Inventor | Mark Dowdy et al. |
| | Art Unit | 2661 |
| | Examiner Name | Unknown |
| | Attorney Docket Number | 10.0418 |

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number:

22474

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with
Customer Number:

22474

OR


| | | | |
|---|-------|-----|--|
| <input type="checkbox"/> Firm or Individual Name | | | |
| Address | | | |
| City | State | Zip | |
| Country | | | |
| Telephone | Email | | |

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/86)

SIGNATURE of Applicant or Assignee of Record

| | | | |
|-----------|---|-----------|--------------|
| Signature |  | | |
| Name | Tyler S. Brown, Chief IP Counsel - CIENA Corporation | | |
| Date | 8/16/05 | Telephone | 410-865-8078 |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 8 forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS, SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9198 and select option 2.

Doc Code:

PTO/SB/86 (08-04)

Approved for use through 07/31/2005, OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Mark Dowdy et al.Application No./Patent No.: 10/003,193 Filed/Issue Date: October 29, 2001Entitled: System and Method For Selecting the Placement of Optical Amplifiers in an Optical NetworkCIENA Corporation, a Delaware Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

In the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012341, Frame 0720, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.

(NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Tyler S. Brown

Signature

Tyler S. Brown

Printed or Typed Name

Chief IP Counsel, CIENA Corporation

Title

8/16/05

Date

410-865-8078

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9189 and select option 2.